

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

WAKEESHA N. MOODY,

Plaintiff,

v.

CSX TRANSPORTATION, INC. et al.,

Defendants.

**NOTICE OF MOTION
FOR LEAVE TO FILE A
SURREPLY**

Civil Action No.
6:07-cv-06398 (MAT/MWP)

PLEASE TAKE NOTICE that Defendants CSX Transportation Inc., New York Central Lines, LLC, and NYC Newco, Inc. will move this Court, at a date and time to be set by the Court, for an order granting them leave to file the attached Surreply in opposition to Plaintiff Wakeesha Moody's motion for spoliation sanctions, which is supported by Defendants' Motion for Leave to File a Surreply. In seeking this leave, CSXT asks for the opportunity to address certain points addressed in Plaintiff's Reply to Defendants' Opposition to the Motion for Spoliation Sanctions.

DATED: Buffalo, New York
June 8, 2016

NIXON PEABODY LLP

By: /s/ Laurie Styka Bloom

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